

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL CASE NO. 1:13-cr-00050-MR-DLH**

**UNITED STATES OF AMERICA,**

**vs.**

**JOSEPH ANTHONY SENTELL.**

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**ORDER**

**THIS MATTER** is before the Court on the Defendant's Motion to Seal his Notice of Appeal and Motion to Revoke Detention Order [Doc. 10].

The Fourth Circuit has recognized that a district court "has supervisory power over its own records and may, in its discretion, seal documents if the public's right of access is outweighed by competing interests." In re Knight Pub. Co., 743 F.2d 231, 235 (4<sup>th</sup> Cir. 1984); see also Stone v. Univ. of Md. Med. Sys. Corp., 855 F.2d 178, 180 (4<sup>th</sup> Cir. 1988) ("The common law presumption of access may be overcome if competing interests outweigh the interest in access, and a court's denial of access is reviewable only for abuse of discretion."). Before sealing a court document, however, the Court must "(1) provide public notice of the request to seal and allow interested parties a reasonable opportunity to object, (2) consider less drastic alternatives to sealing the documents, and

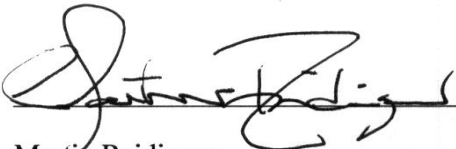
(3) provide specific reasons and factual findings supporting its decision to seal the documents and for rejecting the alternatives.” Ashcraft v. Conoco, Inc., 218 F.3d 288, 302 (4<sup>th</sup> Cir. 2000).

Here, the Defendant has failed to explain why less drastic alternatives to sealing would not be effective. As such, the Defendant’s Motion fails to provide a sufficient basis to support a decision to seal the Notice of Appeal and for rejecting the alternatives to sealing. Additionally, the Defendant’s Motion fails to reflect consultation with opposing counsel as required by LCrR 47.1(B). For these reasons, the Court will deny the Defendant’s Motion.

**IT IS, THEREFORE, ORDERED** that the Defendant’s Motion to Seal [Doc. 10] is **DENIED**. The Clerk of Court is directed to unseal the Notice of Appeal seven (7) days after the entry of this Order in order to give the Defendant the opportunity to amend or withdraw the Notice of Appeal prior to unsealing.

Signed: August 14, 2013

**IT IS SO ORDERED.**

  
Martin Reidinger  
United States District Judge

